

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

No. 12-md-2323 (AB)

MDL No. 2323

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**THIS DOCUMENT RELATES TO:**

**Plaintiffs' Master Administrative Long-  
Form Complaint and Billy Davis and  
Todd Sauerbraun v. National Football  
League [et al.], No. 3:12-cv-02856-MDL**

**SHORT FORM COMPLAINT**

**IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION**

**JURY TRIAL DEMANDED**

**SHORT FORM COMPLAINT**

1. Plaintiff, Todd Sauerbraun, brings this civil action as a related action in the matter entitled IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION, MDL No. 2323.

2. Plaintiff is filing this short form complaint as required by this Court's Case Management Order No. 2, filed April 26, 2012.

3. Plaintiff incorporates by reference the allegations (as designated below) of the Master Administrative Long-Form Complaint, as may be amended, as if fully set forth at length in this Short Form Complaint.

4. Plaintiff, Todd Sauerbraun, is a resident citizen of the state of California, and claims the damages set forth below.

5. On information and belief, Plaintiff Todd Sauerbraun sustained repetitive,

traumatic sub-concussive and concussive head impacts during NFL games and practices. On information and belief, Plaintiff suffers from symptoms of brain injury caused by the repetitive, traumatic sub-concussive and concussive head impacts the Plaintiff sustained during NFL games and practices. On information and belief, the Plaintiff's symptoms arise from injuries that are latent and have developed and continue to develop over time.

6. The original complaint by Plaintiff in this matter was filed in the United States District Court for the State of South Carolina, Columbia Division. If the case is remanded, it should be remanded to the United States District Court for the State of South Carolina, Columbia Division.

7. Plaintiff claims damages as a result of

☒ Injury to Herself/Himself

☒ Economic Loss

☒ Loss of Services

#### **DEFENDANTS**

8. Plaintiff brings this case against the following Defendants in this action:

☒ National Football League

☒ NFL Properties, LLC

9. Plaintiff played in the National Football League ("NFL") from 1995 until 2007 for the following teams: Chicago Bears, Kansas City Chiefs, Carolina Panthers, and Denver Broncos.

#### **CAUSES OF ACTION**

10. Plaintiff herein adopts by reference the following Counts of the Master Administrative Long-Form Complaint, along with the factual allegations incorporated by reference in those Counts:

- ☒ Count I (Action for Declaratory Relief – Liability (Against the NFL))
- ☒ Count II (Medical Monitoring (Against the NFL))
- ☒ Count IV (Fraudulent Concealment (Against the NFL))
- ☒ Count V (Fraud (Against the NFL))
- ☒ Count VI (Negligent Misrepresentation (Against the NFL))
- ☒ Count X (Negligence Post-1994 (Against the NFL))
- ☒ Count XI (Loss of Consortium (Against the NFL))
- ☒ Count XII (Negligent Hiring (Against the NFL))
- ☒ Count XIII (Negligent Retention (Against the NFL))
- ☒ Count XVIII (Civil Conspiracy/Fraudulent Concealment (Against All Defendants))

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment as follows:

- A. An award of compensatory damages, the amount of which will be determined at trial;
- B. For punitive and exemplary damages as applicable;
- C. For all applicable statutory damages of the state whose laws will govern this action;
- D. For medical monitoring, whether denominated as damages or in the form of equitable relief;

- E. For an award of attorneys' fees and costs;
- F. An award of prejudgment interest and costs of suit; and
- G. An award of such other and further relief as the Court deems just and proper.

**JURY DEMANDED**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff(s) hereby demand(s) a trial by jury.

RESPECTFULLY SUBMITTED:

s/ Sol H. Weiss

Sol H. Weiss  
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